

DETAILED ACTION

1. Applicants' amendment filed October 19, 2009 is acknowledged. Claims 1-4, 6-10, 15 and 19-24 are deleted. Claims 5, 11-14 and 16-18 are amended. Now, Claims 5, 11-14 and 16-18 are pending.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Mr. Nicanor A. Köhncke on December 18, 2009.

The application has been amended as follows:

In Claim 13 (line 4), replace "the anion" with -- an anion --.

In Claims 13 (line 4) and 14 (line 5), remove "further".

4. Claim rejection(s) under 35 USC 112 in the previous Office Action (Paper No. 20090801) is/are removed.

5. Claim rejection(s) under 35 USC 102 and 103 in the previous Office Action (Paper No. 20090801) is/are removed.

Allowable Subject Matter

6. Claims 5, 11-14 and 16-18 are allowed.

7. The following is an examiner's statement of reasons for allowance:

The present claims are allowable for at least the following reason(s) over the closest references: Granda (US 4 017 427) and Kashiara (US 5 059 505)

Granda discloses a mixture comprising an organopolysiloxane polyether and free-flowing polymer beads prepared by polymerization of styrene in aqueous suspension. (Abstract, col. 2, line 57 to col. 3, line 38 and Examples) The molecular weight of the organopolysiloxane polyether is described in col. 4, lines 1-10. Additional monomers such as vinyltoluene, isopropylstyrene, *t*-butylstyrene, acrylonitrile, maleic

anhydride, etc. can be employed for preparing the polymer. (col. 2, line 56 to col. 3, line 5) As such, the polymer indeed is functionalized with groups such as methyl, isopropyl, t-butyl, cyano, anhydride, etc. However, Granda does not teach or fairly suggest the presently claimed processes.

Kashihara discloses a mixture comprising an organopolysiloxane polyether oil (a dispersant) and polymer particles. The polymer particles can be crosslinked, which are prepared from non-aqueous suspension polymerization derived from monomers such aromatic monomers such as styrene, etc. and crosslinkers. (Abstract, col. 2, line 27 to col. 3, line 46, col. 5, line 28 to col. 6, line 64 and Examples) However, Granda does not teach or fairly suggest the presently claimed processes.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang Peng whose telephone

number is (571) 272-1091. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Seidleck, can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

klp
December 18, 2009

/Kuo-Liang Peng/
Primary Examiner, Art Unit 1796

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